

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Oct 12, 2017

SEAN F. MCAVOY, CLERK

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender:	Kimberly Lee Fawver	Case Number:	0980 2:13CR00096-RHW-1
Address of Offender:	Spokane County Jail		
Name of Sentencing Judicial Officer:	The Honorable Robert H. Whaley, Senior U.S. District Judge		
Date of Original Sentence:	January 23, 2014		
Original Offense:	Conspiracy to Commit Bank Fraud, 18 U.S.C. § 1349; Aggravated Identity Theft, 18 U.S.C. § 1028A;		
Original Sentence:	Prison - 48 months TSR - 60 months	Type of Supervision:	Supervised Release
Asst. U.S. Attorney:	Timothy J. Ohms	Date Supervision Commenced:	November 25, 2016
Defense Attorney:	Federal Defenders Office	Date Supervision Expires:	November 24, 2021

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 10/06/2017.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
-------------------------	--------------------------------

4	<u>Special Condition # 21:</u> You shall abstain from the use of illegal controlled substances, and shall submit to testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
---	---

Supporting Evidence: On November 25, 2016, supervision commenced in this matter. On November 28, 2016, a supervision intake was completed. Ms. Fawver signed a copy of her judgement, acknowledging an understanding of the conditions imposed by the Court, which included special condition number 21, as noted above. She was directed to abstain from the use of illegal controlled substances and to submit to drug testing.

Ms. Fawver violated the terms of her supervised release on or about October 9, 2017, by consuming marijuana and methamphetamine.

On October 9, 2017, Ms. Fawver reported to the Washington State Department of Corrections (WADOC). She submitted to a urinalysis test, which tested presumptive positive for methamphetamine. Ms. Fawver denied use and the sample was sent to the lab for additional testing.

Re: Fawver, Kimberly Lee

October 12, 2017

Page 2

Due to ongoing noncompliance issues, WADOC placed Ms. Fawver into custody. Spokane County Jail staff required Ms. Fawver be taken to a hospital to be medically cleared for acceptance into their facility. A toxicology screening was completed on Ms. Fawver while she was at the hospital. The toxicology report confirmed a presence of methamphetamine and marijuana Ms. Fawver admitted to WADOC that she consumed marijuana, but continued to deny methamphetamine use.

It is respectfully recommended that the Court incorporate the violation(s) contained in this petition in all future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.


Executed on: October 12, 2017

s/Melissa Hanson

Melissa Hanson
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

October 12, 2017
Date